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REQUEST FOR ORAL HEARING BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

Heritage 174.006

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]
on 23 July 04

Signature

Typed or printed name James D. Hall

In re Application of
Charles F. Butler

Application Number <u>10/039,303</u>	Filed <u>January 2, 2002</u>
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For Simulated Wave Massage

Art Unit <u>3764</u>	Examiner <u>Glenn Richman</u>
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Applicant hereby requests an oral hearing before the Board of Patent Appeals and Interferences in the appeal of the above-identified application.

The fee for this Request for Oral Hearing is (37 CFR 1.17(d))

\$ 290

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ 145

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. . I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.136(b) (PTO/SB/23) is enclosed. For extensions of time in reexamination proceedings, see 37 CFR 1.550.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor.

assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

attorney or agent of record. 24,893
Registration number

attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34.

Signature
James D. Hall

Typed or printed name

574-234-3900

Telephone number

23 July 04

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.194(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

145.00

Complete if Known

Application Number	10/039,303
Filing Date	January 2, 2002
First Named Inventor	Charles F. Butler
Examiner Name	Glenn Richman
Art Unit	3764
Attorney Docket No.	174-006.001 Heritage

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

 Deposit Account:

Deposit Account Number	[Redacted]
Deposit Account Name	[Redacted]

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	[Redacted]
1002 340	2002 170	Design filing fee	[Redacted]
1003 530	2003 265	Plant filing fee	[Redacted]
1004 770	2004 385	Reissue filing fee	[Redacted]
1005 160	2005 80	Provisional filing fee	[Redacted]
SUBTOTAL (1) (\$)		0	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	[Redacted] X [Redacted] = [Redacted]	[Redacted]
Multiple Dependent	- 3** =	[Redacted] X [Redacted] = [Redacted]	[Redacted]
		[Redacted] = [Redacted]	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		0

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	[Redacted]
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	[Redacted]
1053 130	1053 130	Non-English specification	[Redacted]
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	[Redacted]
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	[Redacted]
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	[Redacted]
1251 110	2251 55	Extension for reply within first month	[Redacted]
1252 420	2252 210	Extension for reply within second month	[Redacted]
1253 950	2253 475	Extension for reply within third month	[Redacted]
1254 1,480	2254 740	Extension for reply within fourth month	[Redacted]
1255 2,010	2255 1,005	Extension for reply within fifth month	[Redacted]
1401 330	2401 165	Notice of Appeal	[Redacted]
1402 330	2402 165	Filing a brief in support of an appeal	[Redacted]
1403 290	2403 145	Request for oral hearing	[Redacted]
1451 1,510	1451 1,510	Petition to institute a public use proceeding	[Redacted]
1452 110	2452 55	Petition to revive - unavoidable	[Redacted]
1453 1,330	2453 665	Petition to revive - unintentional	[Redacted]
1501 1,330	2501 665	Utility issue fee (or reissue)	[Redacted]
1502 480	2502 240	Design issue fee	[Redacted]
1503 640	2503 320	Plant issue fee	[Redacted]
1460 130	1460 130	Petitions to the Commissioner	[Redacted]
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	[Redacted]
1806 180	1806 180	Submission of Information Disclosure Stmt	[Redacted]
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	[Redacted]
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	[Redacted]
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	[Redacted]
1801 770	2801 385	Request for Continued Examination (RCE)	[Redacted]
1802 900	1802 900	Request for expedited examination of a design application	[Redacted]
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)	145.00

(Complete if applicable)

SUBMITTED BY	James D. Hall	Registration No. 24,893	Telephone 574-234-3900
Name (Print/Type)			Date 2 July 04

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